



**US Army Corps
of Engineers®**

Nashville District

Public Notice

Public Notice No. **03-99**

Date: December 23, 2003

Application No. **200301958**

Please address all comments to:
Nashville District Corps of Engineers, Regulatory Branch
3701 Bell Road, Nashville, TN 37214

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
TENNESSEE VALLEY AUTHORITY
AND
STATE OF TENNESSEE

SUBJECT: Proposed Wetland Impacts for Bridge Construction adjacent to Beech River Drainage Canal

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant to **Section 404 of the Clean Water Act (CWA)** for the discharge of fill material into waters of the United States, and a Tennessee Valley Authority (TVA) permit pursuant to **Section 26a of the TVA Act**. Before a permit can be issued, certification must be provided by the state of Tennessee, pursuant to **Section 401(1)(1) of the CWA**, that applicable water quality standards will not be violated. By copy of this notice, the applicant hereby applies for the required certification.

APPLICANT: Tennessee Department of Transportation
Environmental Planning and Permits Division
Suite 900, J.K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243-0334

LOCATION and DESCRIPTION: Wetlands adjacent to Beech River Drainage Canal, a tributary to Beech River Mile 23.4L, along SR-114, in Henderson County, Tennessee

The proposed work involves work at five various sites along SR-114 for bridge construction as follows:

Bridge 1 (Station 131+09): Wetland adjacent to Beech River Slough, (Reagan Quad; lat 35-37-3.2880, lon 88-16-22.6920)

The work at this site involves the permanent wetland impact of 0.14 acres and temporary impact of 0.21 acres, associated with the construction of a 110', 2-span concrete girder

bridge. A temporary drainage structure would be installed consisting of 64' of 4 @ 48" metal pipes and 16' of riprap for a temporary runaround.

Bridge #2 (Station 140+84): Wetland and Overflow adjacent to Beech River Drainage Canal, (Reagan Quad, lat 35-37-42.8520, lon 88-16-20.2800)

The work at this site involves the permanent wetland impact of 0.57 acres and temporary wetland impacts of 0.81 acres, associated with construction of a 2-span, 100' concrete girder bridge. A temporary drainage structure would be installed consisting of 62' of 4 @ 48" metal pipes and 16' of riprap for a temporary runaround.

Bridge #3 (Station 148+17): Wetland at Beech River Drainage Canal, (Reagan Quad, lat 35-37-42.8520, lon 88-16-22.6920)

The work at this site involves permanent wetland impacts of 0.02 acres and temporary wetland impact of 0.03 acres, associated with construction of a 386.5', 7-span concrete girder bridge.

Bridge #4 (Station 155+69): Wetland adjacent to Beech River Drainage Canal, (Chesterfield Quad, lat 35-37-31.9800, lon 88-16-22.6920)

The work at this site involves permanent wetland impacts of 0.19 acres and temporary wetland impacts of 0.49 acres, associated with 194.5', 4-span concrete girder bridge. A temporary drainage structure would be installed consisting of 62' of 7 @ 48" metal pipes and 16' of riprap for a temporary runaround.

Bridge #5 (Station 161+27): Wetland at Unnamed Tributary Mile 0.5, a tributary to Beech River Drainage Canal (Chesterfield Quad, lat 35-37-37.9200, lon 88-16-17.8320)

The work at this site involves permanent wetland impact of 0.15 acres and temporary wetland impacts of 0.31 acres, associated with 194.5', 4-span concrete girder bridge. A temporary drainage structure would be installed consisting of 88' of 2 @ 78" metal pipes, and 53' of 7 @ 48" metal pipes, and 16' of riprap for a temporary runaround.

Therefore, this project would involve permanent wetland impacts to 1.07 acres and temporary wetland impacts to 1.85 acres. The applicant proposes to mitigate the permanent wetland impacts by debiting, at a 4:1 ratio, 4.27 acres from available wetland credits at the Madison County Wetland Mitigation Bank. The temporary wetland impacts would be mitigated by returning the areas to their original elevations and planting trees as shown on the enclosed plans.

The purpose of the proposed work is to replace five deteriorating bridges along SR-114 for public use and increased public safety. All proposed bridges would consist of two 12' traffic lanes, 4' shoulders, and a parapet wall.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Federal Highway Administration (FHWA) categorically excluded the proposed project, on August 1, 2003, that the project would not individually or cumulatively have any significant environmental impacts under the provisions of 23 CFR 771.117. However, an Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The Tennessee Historical Commission (THC) has previously reviewed an archaeological survey report provided by the applicant for the proposed project. THC responded by letter dated July 10, 2002, stating that based on the information provided, they find that the project area contains no archaeological resources eligible for listing in the National Register of Historic Places.

The U.S. Fish and Wildlife Service (USFWS) previously commented on the proposed work by letter dated March 8, 2002, stating that available information does not indicate that federally listed or proposed endangered species occur within the impact area of the project. USFWS indicated that the requirements of Section 7 of the Endangered Species Act of 1973, as amended, are fulfilled. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the USFWS is not planned at this time.

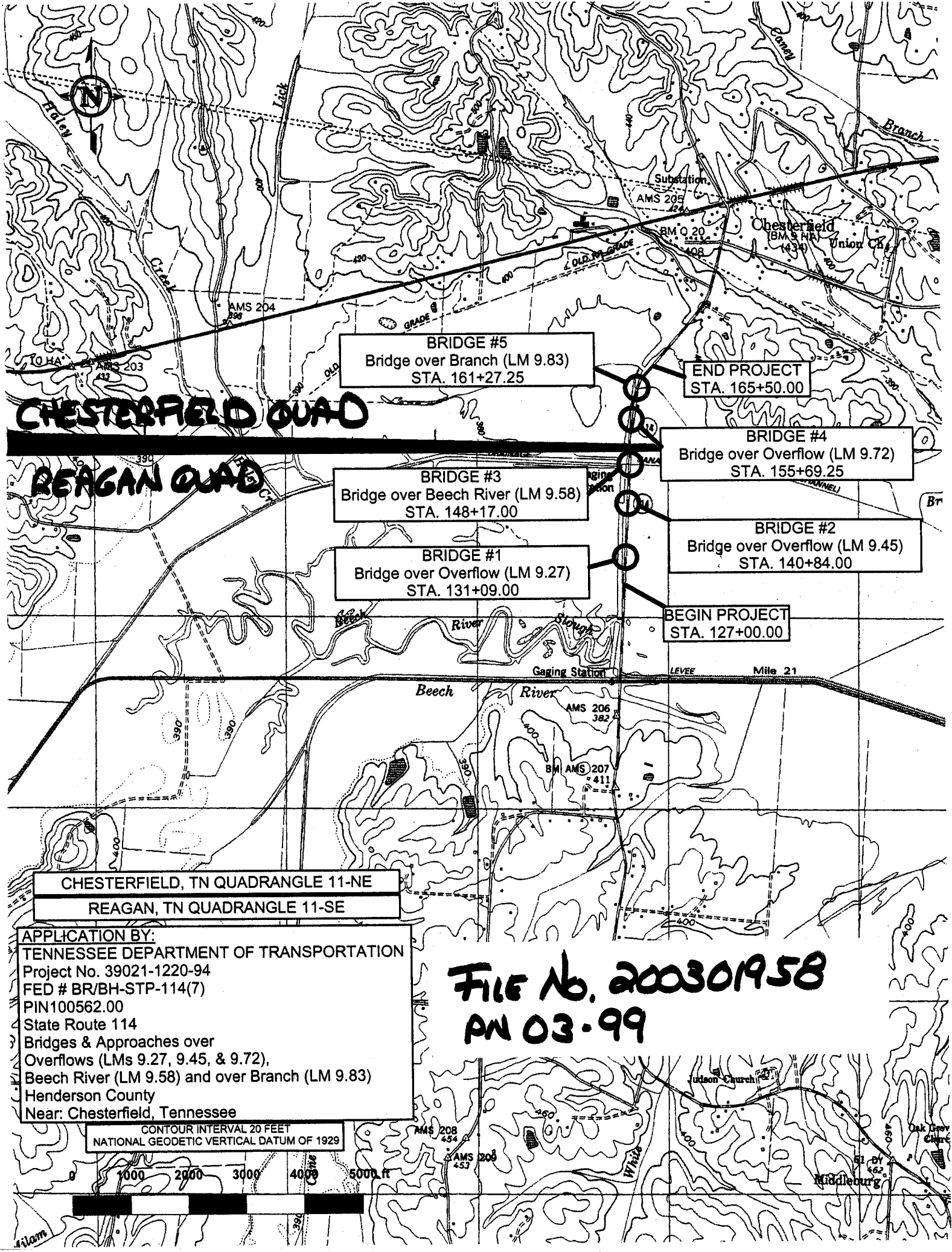
Other federal, state, and/or local approvals required for the proposed work are as follows:

Tennessee Valley Authority (TVA) approval is required under Section 26a of the TVA Act for the proposed work. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.

Water Quality Certification from the state of Tennessee is required for the proposed work in accordance with Section 401(a)(1) of the Clean Water Act.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before January 23, 2004, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Amy Robinson, at the above address, telephone (615) 369-7509. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to Mr. Randy Lowe, Tennessee Valley Authority, Kentucky Lake Land Management Office, P.O. Box 280, Paris, Tennessee 38242-0280.



CHESTERFIELD QUAD

REAGAN QUAD

BRIDGE #5
Bridge over Branch (LM 9.83)
STA. 161+27.25

END PROJECT
STA. 165+50.00

BRIDGE #4
Bridge over Overflow (LM 9.72)
STA. 155+69.25

BRIDGE #3
Bridge over Beech River (LM 9.58)
STA. 148+17.00

BRIDGE #2
Bridge over Overflow (LM 9.45)
STA. 140+84.00

BRIDGE #1
Bridge over Overflow (LM 9.27)
STA. 131+09.00

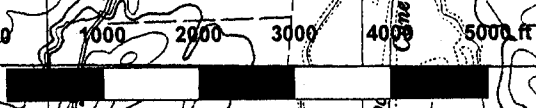
BEGIN PROJECT
STA. 127+00.00

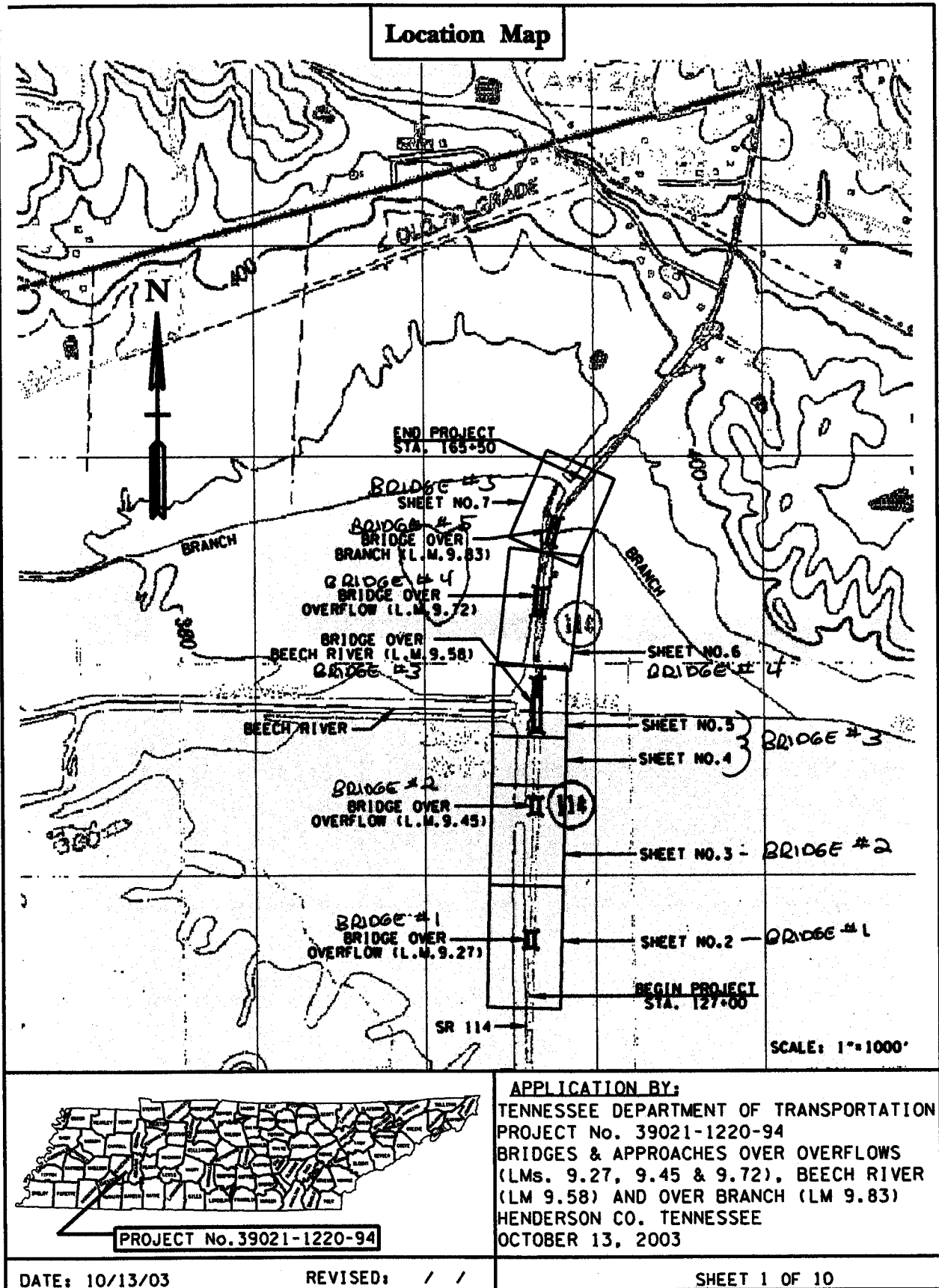
CHESTERFIELD, TN QUADRANGLE 11-NE
REAGAN, TN QUADRANGLE 11-SE

APPLICATION BY:
TENNESSEE DEPARTMENT OF TRANSPORTATION
Project No. 39021-1220-94
FED # BR/BH-STP-114(7)
PIN100562.00
State Route 114
Bridges & Approaches over
Overflows (LMs 9.27, 9.45, & 9.72),
Beech River (LM 9.58) and over Branch (LM 9.83)
Henderson County
Near: Chesterfield, Tennessee

File No. 200301958
AN 03-99

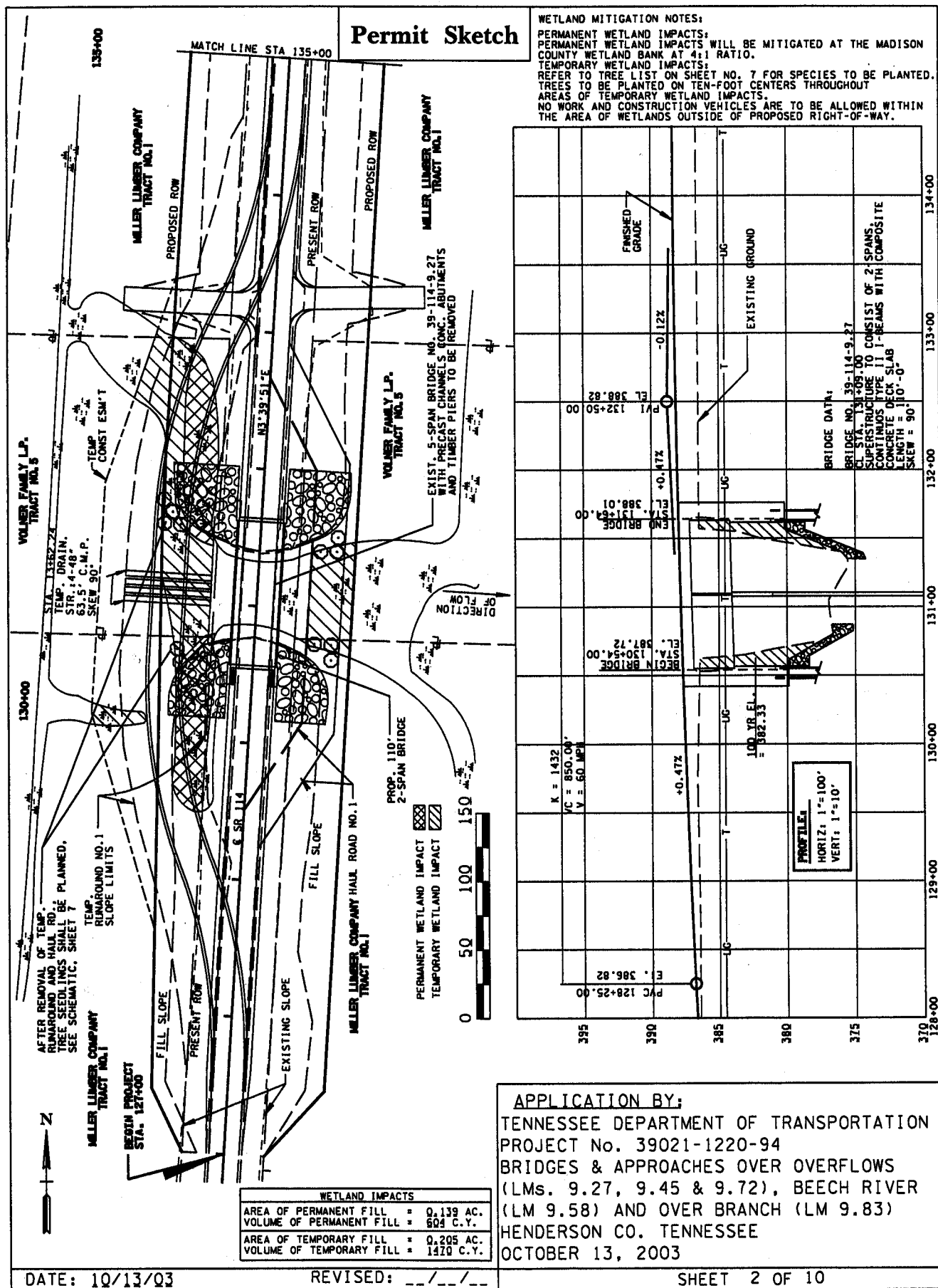
CONTOUR INTERVAL 20 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929





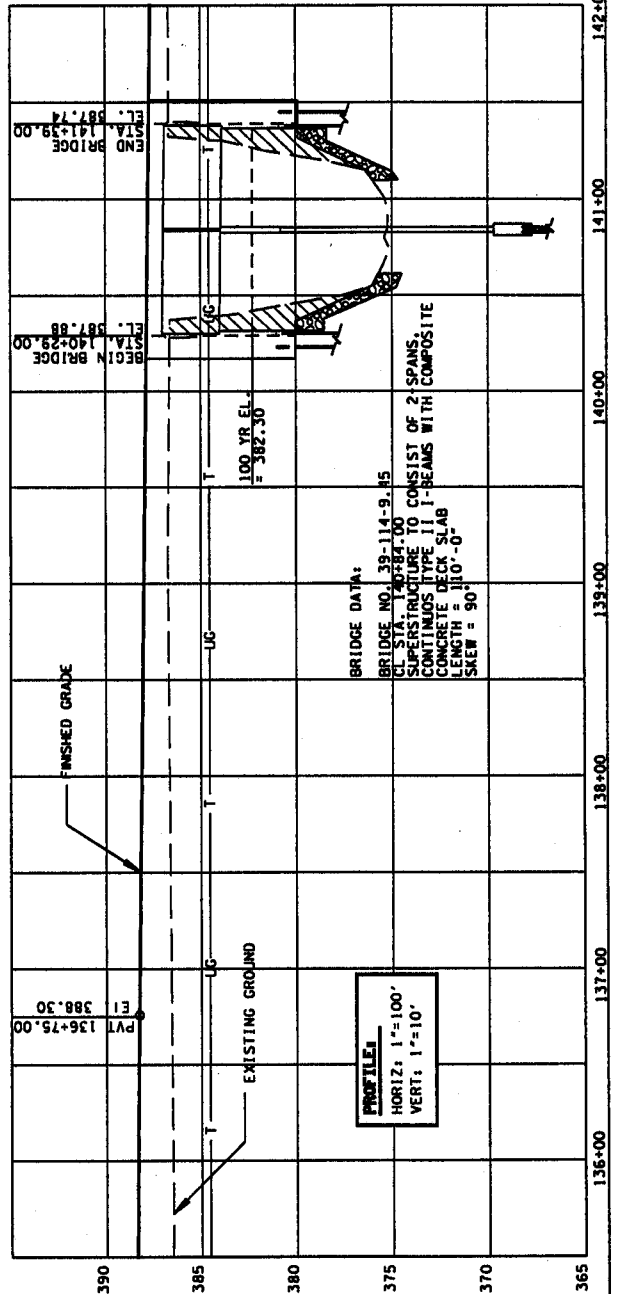
DEC 19 2003

14303



File No. 200301958
PN 03-99

Page # 2



DATE: 10/13/03

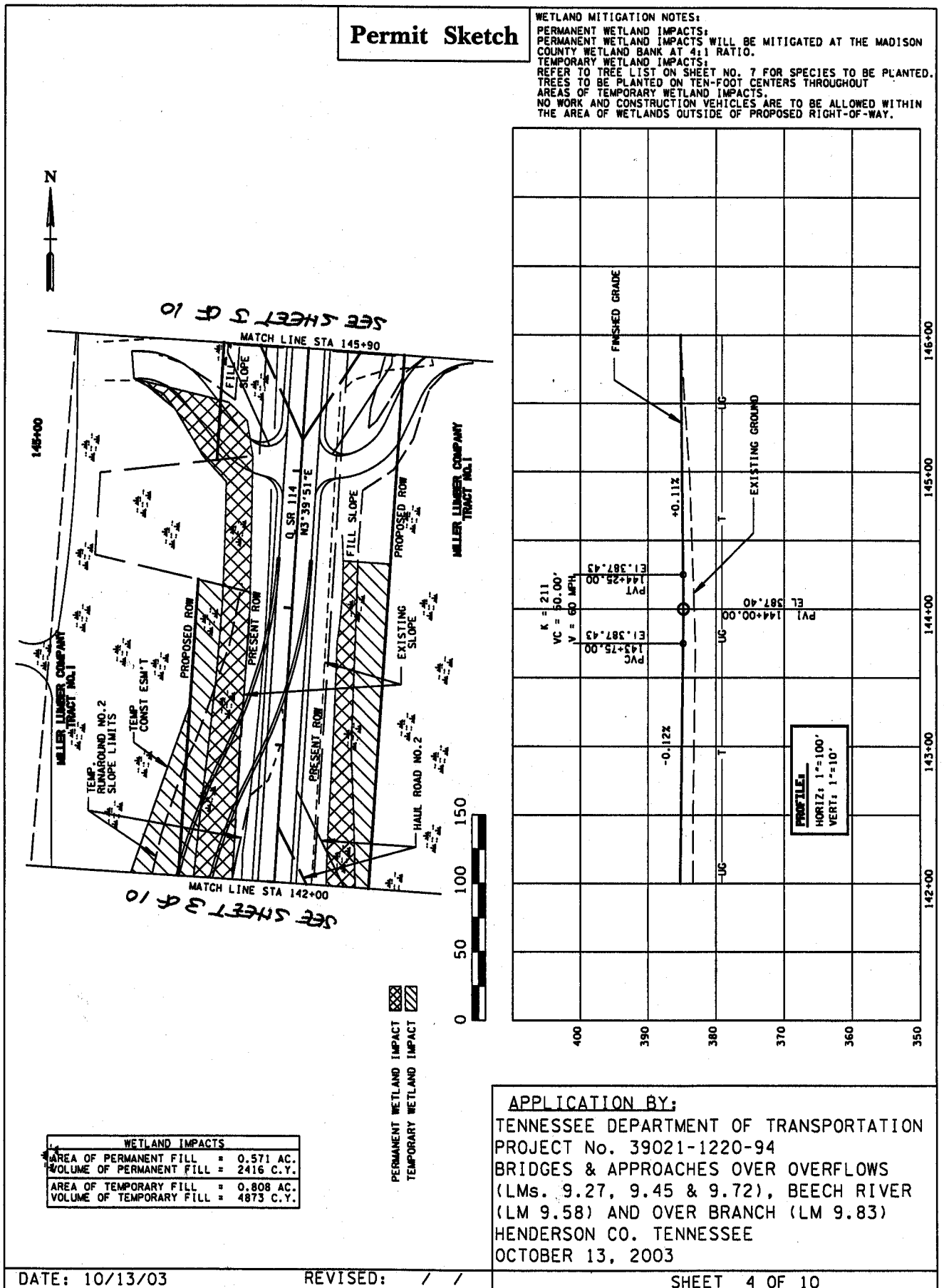
REVISSED: / /

SHEET 3 OF 10

File No. 200301938
AN 03-99

BRIDGE # 3

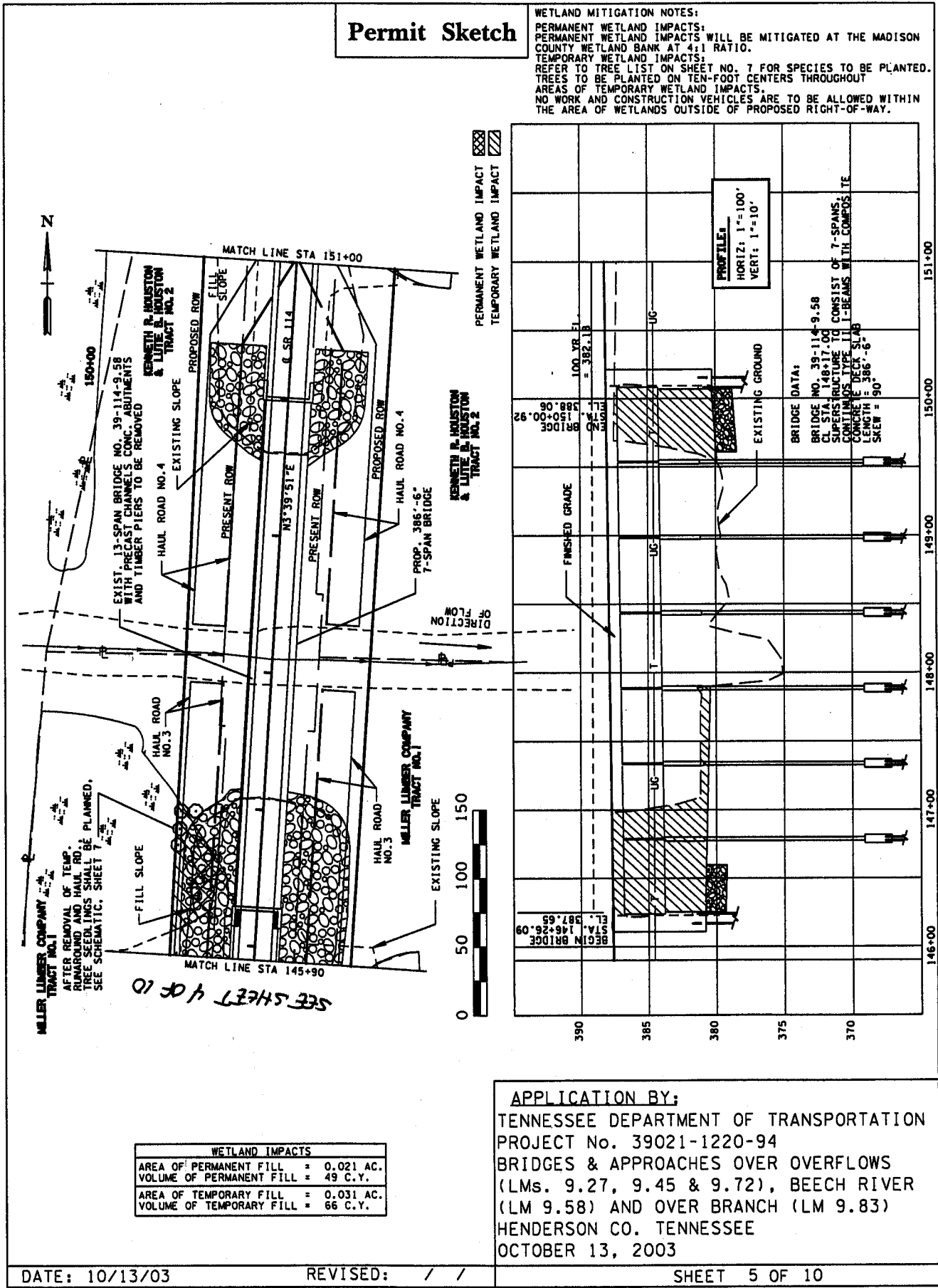
Permit Sketch



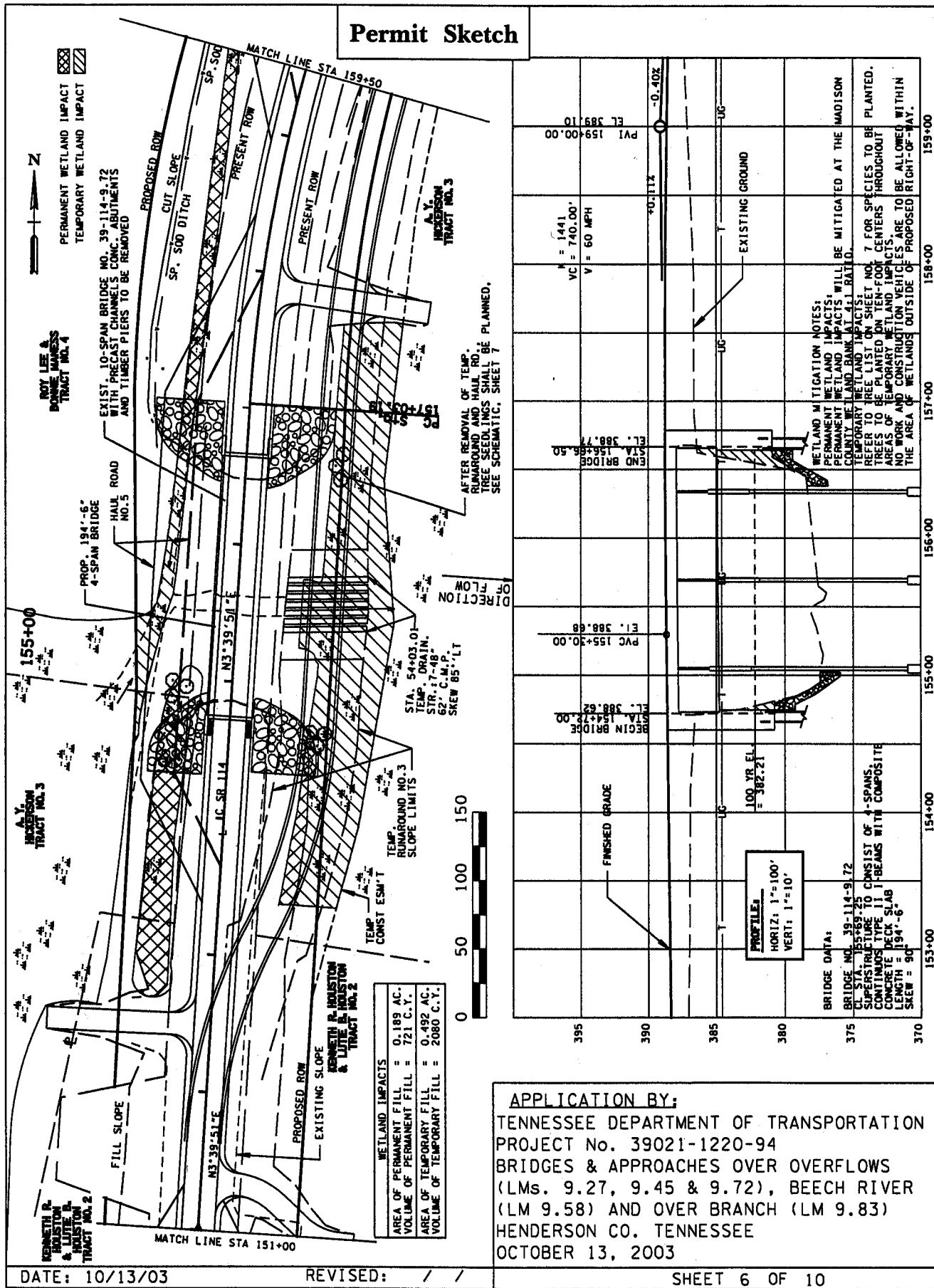
BRIDGE #3

File No. 200301938
AN 03-99

Permit Sketch



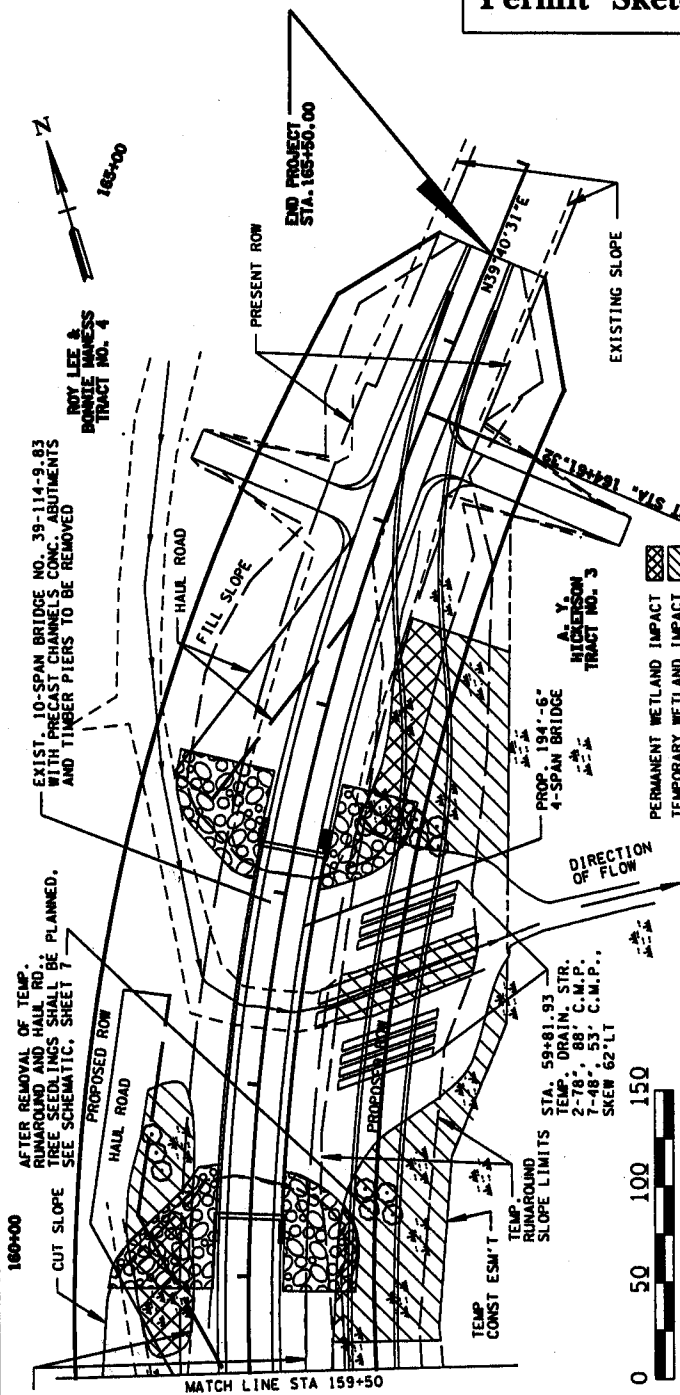
BRIDGE #4
File No. 200301958
PN 03-99



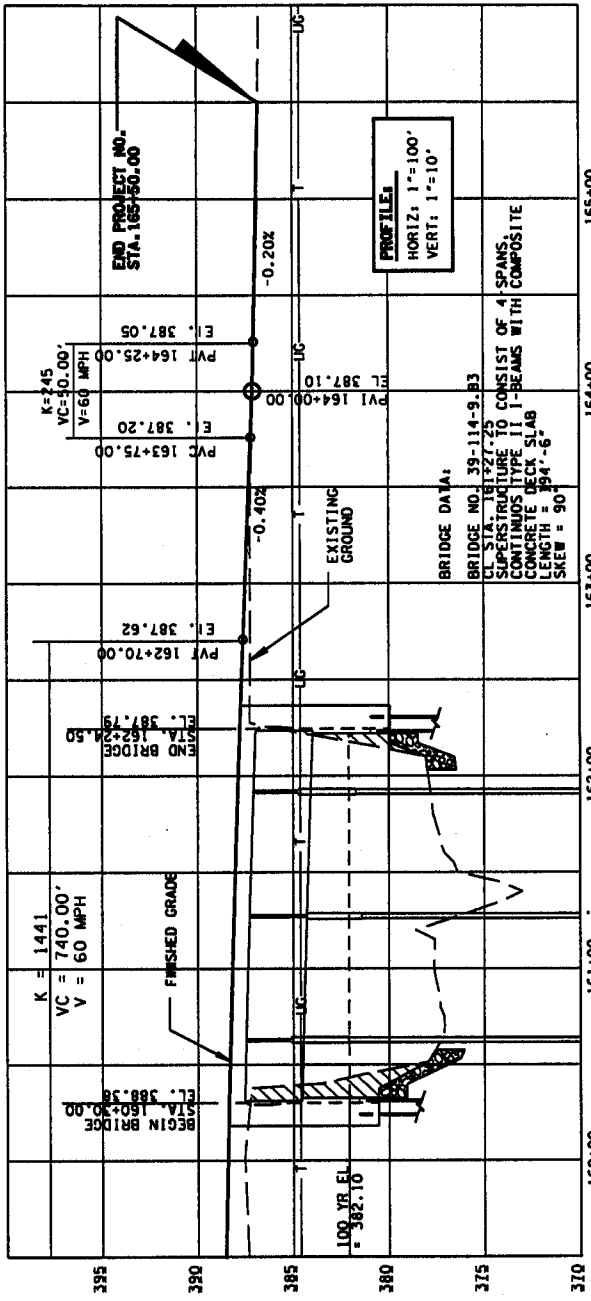
BRIDGE #5
 File No. 200301958
 PN 03-99

Permit Sketch

WETLAND MITIGATION NOTES:
 PERMANENT WETLAND IMPACTS: PERMANENT WETLAND IMPACTS WILL BE MITIGATED AT THE MADISON COUNTY WETLAND BANK AT 4:1 RATIO.
 TEMPORARY WETLAND IMPACTS: REFER TO TREE LIST ON SHEET NO. 7 FOR SPECIES TO BE PLANTED. TREES TO BE PLANTED ON TEN-FOOT CENTERS THROUGHOUT AREAS OF TEMPORARY WETLAND IMPACTS.
 NO WORK AND CONSTRUCTION VEHICLES ARE TO BE ALLOWED WITHIN THE AREA OF WETLANDS OUTSIDE OF PROPOSED RIGHT-OF-WAY.



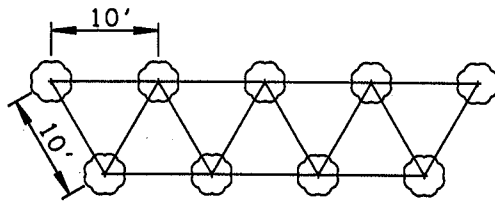
WETLAND IMPACTS	
AREA OF PERMANENT FILL	= 0.148 AC.
VOLUME OF PERMANENT FILL	= 598 C.Y.
AREA OF TEMPORARY FILL	= 0.309 AC.
VOLUME OF TEMPORARY FILL	= 1233 C.Y.



APPLICATION BY:
 TENNESSEE DEPARTMENT OF TRANSPORTATION
 PROJECT No. 39021-1220-94
 BRIDGES & APPROACHES OVER OVERFLOWS
 (LMs. 9.27, 9.45 & 9.72), BEECH RIVER
 (LM 9.58) AND OVER BRANCH (LM 9.83)
 HENDERSON CO. TENNESSEE
 OCTOBER 13, 2003

Permit Sketch

File No. 200301958
PN 03-99



RECOMENDED TREES:

ACER NEGUNDO (12"-18" BARE ROOT)
ULMUS AMERICANA (12"-18" BARE ROOT)
BETULA NIGRA (12"-18" BARE ROOT)
FRAXINUS PENNSYLANICA (12"-18" BARE ROOT)
QUERCUS LYRATA (12"-18" BARE ROOT)

WHERE THE TEMPORARY HAUL ROAD AND RUNAROUND WERE
REMOVED, SEEDLINGS SHOULD BE PLANTED ON 10' CENTERS
FROM THE TOE OF THE PROPOSED FILL SLOPES
DOWN TO THE EDGE OF THE PROPOSED DRAINAGE WAY.

PLANTIC SCHEMATIC FOR PROPOSED TREES

NOT TO SCALE

NO SUBSTITUTION FOR ANY OF THE ABOVE SPECIES WILL BE ACCEPTED
WITHOUT WRITTEN PERMISSION FROM THE TDOT ENVIRONMENTAL
PLANNING AND PERMITS DIVISION. NO CLONES OR CULTIVARS WILL BE
ACCEPTED. ANY TREES FOUND TO BE EITHER INCORRECT SPECIES,
IMPROPERLY PLANTED, OR WHICH DO NOT SURVIVE, AT ANY TIME PRIOR TO
TERMINATION OF THE CONTRACT, SHALL BE REMOVED AND REPLACED AT
THE CONTRACTOR'S EXPENCE. STAKES AND WIRES WILL BE REMOVED
IMMEDIATELY PRIOR TO CONTRACT TERMINATION.

APPLICATION BY:

TENNESSEE DEPARTMENT OF TRANSPORTATION
PROJECT No. 39021-1220-94
BRIDGES & APPROACHES OVER OVERFLOWS
(Lms. 9.27, 9.45 & 9.72), BEECH RIVER
(LM 9.58) AND OVER BRANCH (LM 9.83)
HENDERSON CO. TENNESSEE
OCTOBER 13, 2003

DATE: 10/13/03

REVISED: __/__/__

SHEET 8 OF 10

Summary of Wetland Impacts

Permit I.D.	Impact Stations	Permanent Wetland Impacts, Acres	Temporary Wetland Impacts, Acres
IARAP #1	Sta. 129+50+/- (Lt.) to Sta. 133+00 +/- (Lt.):	0.139	0.205
I404 #1	Sta. 137+30+/- (Lt.) to Sta. 145+40+/- (Lt.):	0.571	0.808
IARAP #2	Sta. 145+50+/- (Lt.) to Sta. 147+70+/- (Lt.):	0.021	0.031
IARAP #3	Sta. 152+70+/- (Lt.) to Sta. 159+50+/- (Lt.):	0.189	0.492
IARAP #4	Sta. 159+60+/- (Lt. & Rt.) to Sta. 163+60+/- (Rt.):	0.148	0.309
Totals, Acres		1.068	1.845

- BRIDGE #1
- BRIDGE #2
- BRIDGE #3
- BRIDGE #4
- BRIDGE #5

File No 200301958
AN 03-99